Appellant argues that "Lunardi likewise does not suggest treatment of multiple sclerosis using the claimed dosage level. Thus, taking Bountra alone, or in combination with Lunardi, the physician would not have been motivated to arrive at the presently claimed dosage of between 500mg/day and 700mg/day and, in fact, would have acted to reduce the dosage in the case of multiple sclerosis patients based on the state of the art."

These arguments have been considered, but not found persuasive as discussed above. One of ordinary skill in the art at the time of invention would have been motivated to the particular treatment regimen because the optimization of result effect parameters e.g., dosage range, dosing regimens, dosing duration is obvious as being within the skill of the artisan, involving merely routine skill in the art.

For the above stated reasons, said claims are properly rejected under 35 U.S.C. 103(a). Therefore, it is believed that the rejections should be sustained.

(11) Related Proceedings Appendix
None

Respectfully submitted,

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